

## ENVIRONMENTAL PROTECTION COMMISSION[567]

### Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission hereby gives Notice of Intended Action to amend Chapter 61, “Recreational Use Assessment and Attainability Analysis Protocol,” Iowa Administrative Code.

Pursuant to Iowa Code section 455B.176A(6), the Commission is required to adopt rules that establish procedures and criteria to be used in the development of a use attainability analysis. The Commission has previously adopted the “Cold Water Use Designation Assessment Protocol” by reference at subrule 61.3(6) and the “Warm Water Stream Use Assessment and Attainability Analysis Protocol” by reference at subrule 61.3(7). Proposed subrule 61.3(8) will fulfill the Commission’s requirements pursuant to section 455B.176A(6).

Any person may submit written suggestions or comments on the proposed amendment through October 23, 2007. Such written material should be submitted to Jon Tack, Iowa Department of Natural Resources, Wallace State Office Building, 502 East 9<sup>th</sup> Street, Des Moines, Iowa 50319-0034, fax (515)281-8895 or by E-mail to [jon.tack@dnr.iowa.gov](mailto:jon.tack@dnr.iowa.gov). Persons who have questions may contact Jon Tack at (515)281-8889.

A public hearing will be held on October 23, 2007, at 2 p.m. in the Fourth Floor West Conference Room of the Wallace State Office Building, at which time persons may present their views either orally or in writing. At the hearing, persons will be asked to give their names and addresses for the record and to confine their remarks to the subject of the amendment.

Any person who intends to attend the public hearing and has special requirements such as those related to hearing or mobility impairments should contact the Department of Natural Resources to advise of any specific needs.

This amendment is intended to implement Iowa Code chapter 455B.176A(6).

The following amendment is proposed.

---

Amend 567--Chapter 61 by adopting the following **new** subrule:

61.3(8) Recreational use assessment and attainability analysis protocol. The department hereby incorporates by reference “Recreational Use Assessment and Attainability Analysis Protocol,” effective (insert effective date). This document may be obtained on the department’s web site.

---

Date

---

Richard Leopold, Director

(P:61n.doc/mg)